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Memorandum

To: Oregon Hospitals and Ambulatory Surgery Centers

From: Paul R. Cieslak, MD
Medical Director, Communicable Diseases
and Immunizations

Date: March 8, 2024

Subject: OAR 333-056-0045: Patient Attestation for Release of Pathological Waste

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Oregon Health Authority (OHA) has amended Oregon Administrative Rule (OAR) 333-056-0045 in accordance with Senate Bill 189 (2023; incorporated into Oregon Revised Statute [ORS] 459.400), which permits health care facilities to release to the donor or authorized representative human tissue intended by the recipient for cremation, interment, or other final disposition in accordance with ORS Chapter 97. Nothing in this rule exempts facilities from other state or federal laws, including but not limited to the Resource Conservation and Recovery Act, regarding handling of pathological waste.

OHA suggests that facilities opting to release tissue in accordance with this new law obtain the attestation below from patients (or authorized representatives) receiving their tissues.

Thank you for keeping Oregonians safe while respecting their cultural practices and traditions.

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I, [Patient or Designee Name] understand that I will safely dispose of [Patient's Name]'s [specify body part] by cremation, interment, or other means, in accordance with Oregon Revised Statute Chapter 97. I will not sell, give away, or use this body part for any other purpose.

I understand that this tissue may pose an infectious disease risk if and when I remove it from the sealed container for disposal as indicated above.

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[Signature of Patient or Designee] [Date]